

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50781 of 2025

Arising Out of PS. Case No.-92 Year-2019 Thana- VAISHALI District- Vaishali

Vibhash Kumar S/o Gauri Shankar Singh R/o Village- Rewa Basantpur, P.S.-
Saraiya, District- Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Vaishali P.S. Case No. 92 of 2019 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 2270.52 litres of English Wine was recovered from Bolero Pick-up bearing Registration No. BR06GC-0696.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of confessional statement of apprehended co-accused person. Learned counsel further submitted that petitioner is the driver of the vehicle and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner has got no



concern with the alleged recovery of liquor. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted regular bail by this Court vide order dated 27.03.2025 passed in Cr. Misc. No. 14421 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Vaishali P.S. Case No. 92 of 2019, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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